

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2007-2040-AIR-E **TCEQ ID:** RN100219815 **CASE NO.:** 35129
RESPONDENT NAME: Eastman Chemical Company

Page 1 of 2

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Eastman Chemical Company Texas Operations, 300 Kodak Boulevard, Longview, Harrison County</p> <p>TYPE OF OPERATION: Chemical manufacturing plant</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There are three additional pending enforcement actions regarding this facility location, Docket Nos. 2007-0830-AIR-E, 2007-1787-AIR-E and 2008-0365-AIR-E.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on June 16, 2008. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: Ms. Melissa Keller, SEP Coordinator, Enforcement Division, MC 219, (512) 239-1768 TCEQ Enforcement Coordinator: Ms. Roshondra Lowe, Enforcement Division, Enforcement Team 5, MC R-12, (713) 676-3500; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171 Respondent: Ms. Stancy Simpson, Site General Manager, Eastman Chemical Company, PO Box 7444, Longview, Texas 75607 Mr. James Ray, Vice President and General Manager, Eastman Chemical Company, P.O. Box 7444, Longview, Texas 75607 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: December 10 - 11, 2007</p> <p>Date of NOV/NOE Relating to this Case: December 14, 2007 (NOE)</p> <p>Background Facts: This was a routine record review.</p> <p>AIR</p> <p>1) Failure to notify the TCEQ Regional Office within the required 24 hours of a reportable emissions event. The emissions event occurred on September 8, 2007, but was not reported until September 10, 2007 (Incident No. 97228) [30 TEX. ADMIN. CODE §§ 101.201(a)(1) and 122.143(4), Federal Operating Permit ("FOP") No. O-01973, Special Terms and Conditions ("STC") 2F and 21, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>2) Failure to prevent unauthorized emissions. Specifically, 201.9 pounds of 1,3-Butadiene were released at Flare Emissions Point Number 225FL1 during a planned shutdown of Hydrocarbon Cracking Plant No. 4. The emissions event began on September 8, 2007 and lasted for 35 minutes (Incident Number 97228). Since the emissions event was not reported within 24 hours of discovery, the Respondent failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), FOP No. O-01973, STC 10, Air Permit No. 8539, Special Condition 1, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>	<p>Total Assessed: \$13,050</p> <p>Total Deferred: \$2,610 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$5,220</p> <p>Total Paid to General Revenue: \$5,220</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that the Respondent reviewed the procedures in place for determining whether an emissions event is reportable and conducted training on September 20, 2007, for the environmental on-call personnel and Hydrocarbon Cracking Plant No. 4 operating personnel to ensure timely reporting of such events.</p> <p>Ordering Provisions:</p> <p>The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See SEP Attachment A)</p>

Additional ID No(s): HH0042M

Attachment A
Docket Number: 2007-2040-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Eastman Chemical Company
Payable Penalty Amount:	Ten Thousand Four Hundred Forty Dollars (\$10,440)
SEP Amount:	Five Thousand Two Hundred Twenty Dollars (\$5,220)
Type of SEP:	Pre-approved
Third-Party Recipient:	Texas Association of Resource Conservation and Development Areas, Inc. ("RC&D")- Wastewater Treatment Assistance
Location of SEP:	Harrison County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

The Respondent shall contribute to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used to provide low income rural homeowners with assistance to enable the repair or replacement of their failing on-site wastewater systems. SEP monies will be used to pay for the labor and materials costs related to repairing or replacing the failing systems. The recipients will not be charged for the cost of replacing or repairing the failing systems.

The Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by protecting water sources for drinking, recreation, and wildlife from contamination from failing treatment systems.

C. Minimum Expenditure

The Respondent shall contribute at least the SEP Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Amount to the Third-Party Recipient. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Texas Association of Resource Conservation and Development Areas, Inc.
1716 Briarcrest Drive, Suite 510
Bryan, Texas 77802-2700

3. Records and Reporting

Concurrent with the payment of the SEP Amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Enforcement Division
Attention: SEP Coordinator, MC 219
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Amount.

The check for any amount due shall be made out to "Texas Commission on Environmental Quality" and mailed to:

Texas Commission on Environmental Quality
Financial Administration Division, Revenues
Attention: Cashier, MC 214
P.O. Box 13088
Austin, Texas 78711-3088

The Respondent shall also mail a copy of the check to the TCEQ SEP Coordinator at the address in Section 3 above.

5. Publicity

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP identified in this Agreed Order has not been, and shall not be, included as an SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision September 19, 2007

TCEQ
DATES

Assigned 17-Dec-2007
PCW 15-Jan-2008 Screening 19-Dec-2007 EPA Due 15-Sep-2008

RESPONDENT/FACILITY INFORMATION

Respondent Eastman Chemical Company
Reg. Ent. Ref. No. RN100219815
Facility/Site Region 5-Tyler Major/Minor Source Major

CASE INFORMATION

Enf./Case ID No. 35129 No. of Violations 2
Docket No. 2007-2040-AIR-E Order Type 1660
Media Program(s) Air Enf. Coordinator Daniel Siringi
Multi-Media EC's Team Enforcement Team 5
Admin. Penalty \$ Limit Minimum \$0 Maximum \$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)

Subtotal 1 \$5,000

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History 186% Enhancement Subtotals 2, 3, & 7 \$9,300

Notes: Enhancement for three (3) orders with denial of liability, 16 NOVs with same or similar violations, 28 NOVs without same or similar violations, including 10 self-reported effluent violations in the past five years at this Plant. Penalty reduction due to environmental management system in place.

Culpability No 0% Enhancement Subtotal 4 \$0

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply 25% Reduction Subtotal 5 \$1,250

Before NOV NOV to EDP RP/Settlement Offer
Extraordinary
Ordinary X
N/A (mark with x)

Notes: All corrective actions were completed as of September 20, 2007.

Total EB Amounts \$8 0% Enhancement* Subtotal 6 \$0
Approx. Cost of Compliance \$5,500 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7

Final Subtotal \$13,050

OTHER FACTORS AS JUSTICE MAY REQUIRE

0% Adjustment \$0

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount \$13,050

STATUTORY LIMIT ADJUSTMENT

Final Assessed Penalty \$13,050

DEFERRAL

20% Reduction Adjustment -\$2,610

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

Deferral offered for expedited settlement.

PAYABLE PENALTY

\$10,440

Screening Date 19-Dec-2007

Docket No. 2007-2040-AIR-E

PCW

Respondent Eastman Chemical Company

Policy Revision 2 (September 2002)

Case ID No. 35129

PCW Revision September 19, 2007

Reg. Ent. Reference No. RN100219815

Media [Statute] Air

Enf. Coordinator Daniel Siringi

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	16	80%
	Other written NOVs	28	56%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	3	60%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission.	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	Yes	-10%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 186%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for three (3) orders with denial of liability, 16 NOVs with same or similar violations, 28 NOVs without same or similar violations, including 10 self-reported effluent violations in the past five years at this Plant. Penalty reduction due to environmental management system in place.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 186%

Screening Date 19-Dec-2007

Docket No. 2007-2040-AIR-E

PCW

Respondent Eastman Chemical Company

Policy Revision 2 (September 2002)

Case ID No. 35129

PCW Revision September 19, 2007

Reg. Ent. Reference No. RN100219815

Media [Statute] Air

Enf. Coordinator Daniel Siringi

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 101.201(a)(1) and 122.143(4), Federal Operating Permit ("FOP") No. O-01973, Special Terms and Conditions ("STC") 2F and 21, and Tex. Health & Safety Code § 382.085(b).

Violation Description

Failed to notify the TCEQ Regional Office within the required 24 hours of a reportable emissions event. The emissions event occurred on September 8, 2007, but was not reported until September 10, 2007 (Incident No. 97228).

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 25%

Matrix Notes

At least 70% of the rule requirement was met.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1

2 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$2,500

One single event is recommended for the initial report.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$8

Violation Final Penalty Total \$6,525

This violation Final Assessed Penalty (adjusted for limits) \$6,525

Economic Benefit Worksheet**Respondent** Eastman Chemical Company**Case ID No.** 35129**Reg. Ent. Reference No.** RN100219815**Media** Air**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	\$1,500	9-Sep-2007	20-Sep-2007	0.0	\$2	n/a	\$2
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$4,000	9-Sep-2007	20-Sep-2007	0.0	\$6	n/a	\$6

Notes for DELAYED costs

Estimated costs for Plant personnel to properly file an emissions event report, and for the implementation of new Plant procedures concerning emissions event reporting requirements. Date required is 24 hours after the Plant discovered the event and final date is the date when the procedures were reviewed and personnel trained.

Avoided Costs**ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)**

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs**Approx. Cost of Compliance**

\$5,500

TOTAL

\$8

Screening Date 19-Dec-2007

Docket No. 2007-2040-AIR-E

PCW

Respondent Eastman Chemical Company

Policy Revision 2 (September 2002)

Case ID No. 35129

PCW Revision September 19, 2007

Reg. Ent. Reference No. RN100219815

Media [Statute] Air

Enf. Coordinator Daniel Siringi

Violation Number 2

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(b)(2)(F) and (c) and 122.143(4), FOP No. O-01973, STC 10, Air Permit No. 8539, Special Condition 1, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions. Specifically, 201.9 pounds of 1,3-Butadiene were released at Flare Emissions Point Number 225FL1 during a planned shutdown of Hydrocarbon Cracking Plant No. 4. The emissions event began on September 8, 2007 and lasted for 35 minutes (Incident Number 97228). Since the emissions event was not reported within 24 hours of discovery, the Respondent failed to meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			x
Potential			

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	x
	semiannual	
	annual	
	single event	

Violation Base Penalty \$2,500

One quarterly event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$6,525

This violation Final Assessed Penalty (adjusted for limits) \$6,525

Economic Benefit Worksheet

Respondent Eastman Chemical Company

Case ID No. 35129

Reg. Ent. Reference No. RN100219815

Media Air

Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Refer to Economic Benefit for Violation No. 1.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$0

TOTAL

1

\$0

Compliance History

Customer/Respondent/Owner-Operator:	CN601214406	Eastman Chemical Company	Classification: AVERAGE	Rating: 2.24
Regulated Entity:	RN100219815	EASTMAN CHEMICAL COMPANY TEXAS OPERATIONS	Classification: AVERAGE	Site Rating: 2.71
ID Number(s):	AIR OPERATING PERMITS	ACCOUNT NUMBER	HH0042M	
	AIR OPERATING PERMITS	PERMIT	1436	
	AIR OPERATING PERMITS	PERMIT	1967	
	AIR OPERATING PERMITS	PERMIT	1968	
	AIR OPERATING PERMITS	PERMIT	1969	
	AIR OPERATING PERMITS	PERMIT	1970	
	AIR OPERATING PERMITS	PERMIT	1971	
	AIR OPERATING PERMITS	PERMIT	1972	
	AIR OPERATING PERMITS	PERMIT	1973	
	AIR OPERATING PERMITS	PERMIT	1974	
	AIR OPERATING PERMITS	PERMIT	1975	
	AIR OPERATING PERMITS	PERMIT	1976	
	AIR OPERATING PERMITS	PERMIT	1977	
	AIR OPERATING PERMITS	PERMIT	1978	
	AIR OPERATING PERMITS	PERMIT	1979	
	AIR OPERATING PERMITS	PERMIT	1981	
	AIR OPERATING PERMITS	PERMIT	1982	
	AIR OPERATING PERMITS	PERMIT	1983	
	AIR NEW SOURCE PERMITS	PERMIT	208	
	AIR NEW SOURCE PERMITS	PERMIT	626	
	AIR NEW SOURCE PERMITS	PERMIT	681	
	AIR NEW SOURCE PERMITS	PERMIT	908	
	AIR NEW SOURCE PERMITS	PERMIT	1105	
	AIR NEW SOURCE PERMITS	PERMIT	1143	
	AIR NEW SOURCE PERMITS	PERMIT	1329	
	AIR NEW SOURCE PERMITS	PERMIT	2102	
	AIR NEW SOURCE PERMITS	PERMIT	5283	
	AIR NEW SOURCE PERMITS	PERMIT	5888	
	AIR NEW SOURCE PERMITS	PERMIT	6419	
	AIR NEW SOURCE PERMITS	PERMIT	6772	
	AIR NEW SOURCE PERMITS	PERMIT	6777	
	AIR NEW SOURCE PERMITS	PERMIT	7022	
	AIR NEW SOURCE PERMITS	PERMIT	7023	
	AIR NEW SOURCE PERMITS	PERMIT	7416	
	AIR NEW SOURCE PERMITS	PERMIT	7752	
	AIR NEW SOURCE PERMITS	PERMIT	8539	
	AIR NEW SOURCE PERMITS	PERMIT	9167	
	AIR NEW SOURCE PERMITS	PERMIT	9301	
	AIR NEW SOURCE PERMITS	PERMIT	9309	
	AIR NEW SOURCE PERMITS	PERMIT	9552	
	AIR NEW SOURCE PERMITS	PERMIT	9631	
	AIR NEW SOURCE PERMITS	PERMIT	11243	
	AIR NEW SOURCE PERMITS	PERMIT	12367	
	AIR NEW SOURCE PERMITS	PERMIT	13510	
	AIR NEW SOURCE PERMITS	PERMIT	13743	
	AIR NEW SOURCE PERMITS	PERMIT	14137	
	AIR NEW SOURCE PERMITS	PERMIT	14558	
	AIR NEW SOURCE PERMITS	PERMIT	14953	
	AIR NEW SOURCE PERMITS	PERMIT	15392	
	AIR NEW SOURCE PERMITS	PERMIT	15535	
	AIR NEW SOURCE PERMITS	PERMIT	15691	
	AIR NEW SOURCE PERMITS	PERMIT	15724	
	AIR NEW SOURCE PERMITS	PERMIT	16022	
	AIR NEW SOURCE PERMITS	PERMIT	16485	
	AIR NEW SOURCE PERMITS	PERMIT	17578	
	AIR NEW SOURCE PERMITS	PERMIT	17579	
	AIR NEW SOURCE PERMITS	PERMIT	17833	
	AIR NEW SOURCE PERMITS	PERMIT	18528	
	AIR NEW SOURCE PERMITS	PERMIT	19230	
	AIR NEW SOURCE PERMITS	PERMIT	20489	
	AIR NEW SOURCE PERMITS	PERMIT	20567	
	AIR NEW SOURCE PERMITS	PERMIT	21315	
	AIR NEW SOURCE PERMITS	PERMIT	21832	
	AIR NEW SOURCE PERMITS	PERMIT	24461	
	AIR NEW SOURCE PERMITS	PERMIT	27433	
	AIR NEW SOURCE PERMITS	PERMIT	27941	
	AIR NEW SOURCE PERMITS	PERMIT	26307	
	AIR NEW SOURCE PERMITS	PERMIT	27086	
	AIR NEW SOURCE PERMITS	PERMIT	26973	
	AIR NEW SOURCE PERMITS	PERMIT	28548	
	AIR NEW SOURCE PERMITS	PERMIT	30130	
	AIR NEW SOURCE PERMITS	PERMIT	29676	
	AIR NEW SOURCE PERMITS	PERMIT	30643	
	AIR NEW SOURCE PERMITS	PERMIT	31038	
	AIR NEW SOURCE PERMITS	PERMIT	33574	
	AIR NEW SOURCE PERMITS	PERMIT	35254	
	AIR NEW SOURCE PERMITS	PERMIT	35597	
	AIR NEW SOURCE PERMITS	PERMIT	37813	
	AIR NEW SOURCE PERMITS	PERMIT	37878	
	AIR NEW SOURCE PERMITS	PERMIT	38305	
	AIR NEW SOURCE PERMITS	PERMIT	39472	
	AIR NEW SOURCE PERMITS	PERMIT	39774	
	AIR NEW SOURCE PERMITS	PERMIT	40744	
	AIR NEW SOURCE PERMITS	PERMIT	41365	
	AIR NEW SOURCE PERMITS	PERMIT	43023	
	AIR NEW SOURCE PERMITS	PERMIT	43150	
	AIR NEW SOURCE PERMITS	PERMIT	42273	
	AIR NEW SOURCE PERMITS	PERMIT	43891	
	AIR NEW SOURCE PERMITS	PERMIT	44705	

AIR NEW SOURCE PERMITS	PERMIT	45169
AIR NEW SOURCE PERMITS	PERMIT	45168
AIR NEW SOURCE PERMITS	PERMIT	45164
AIR NEW SOURCE PERMITS	PERMIT	45203
AIR NEW SOURCE PERMITS	PERMIT	45369
AIR NEW SOURCE PERMITS	PERMIT	46257
AIR NEW SOURCE PERMITS	PERMIT	47044
AIR NEW SOURCE PERMITS	PERMIT	47232
AIR NEW SOURCE PERMITS	PERMIT	47934
AIR NEW SOURCE PERMITS	PERMIT	48119
AIR NEW SOURCE PERMITS	PERMIT	46672
AIR NEW SOURCE PERMITS	PERMIT	48390
AIR NEW SOURCE PERMITS	PERMIT	48588
AIR NEW SOURCE PERMITS	PERMIT	48589
AIR NEW SOURCE PERMITS	PERMIT	48590
AIR NEW SOURCE PERMITS	PERMIT	48591
AIR NEW SOURCE PERMITS	PERMIT	48615
AIR NEW SOURCE PERMITS	PERMIT	48617
AIR NEW SOURCE PERMITS	PERMIT	48758
AIR NEW SOURCE PERMITS	PERMIT	48776
AIR NEW SOURCE PERMITS	PERMIT	48655
AIR NEW SOURCE PERMITS	PERMIT	49497
AIR NEW SOURCE PERMITS	PERMIT	49567
AIR NEW SOURCE PERMITS	PERMIT	49363
AIR NEW SOURCE PERMITS	PERMIT	49793
AIR NEW SOURCE PERMITS	PERMIT	50067
AIR NEW SOURCE PERMITS	PERMIT	49989
AIR NEW SOURCE PERMITS	PERMIT	50167
AIR NEW SOURCE PERMITS	PERMIT	50110
AIR NEW SOURCE PERMITS	PERMIT	50321
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HH0042M
AIR NEW SOURCE PERMITS	PERMIT	52785
AIR NEW SOURCE PERMITS	REGISTRATION	78564
AIR NEW SOURCE PERMITS	REGISTRATION	78585
AIR NEW SOURCE PERMITS	REGISTRATION	78495
AIR NEW SOURCE PERMITS	REGISTRATION	78603
AIR NEW SOURCE PERMITS	REGISTRATION	78487
AIR NEW SOURCE PERMITS	REGISTRATION	72061
AIR NEW SOURCE PERMITS	REGISTRATION	72214
AIR NEW SOURCE PERMITS	REGISTRATION	55268
AIR NEW SOURCE PERMITS	PERMIT	55267
AIR NEW SOURCE PERMITS	REGISTRATION	55550
AIR NEW SOURCE PERMITS	PERMIT	75233
AIR NEW SOURCE PERMITS	REGISTRATION	75913
AIR NEW SOURCE PERMITS	REGISTRATION	75921
AIR NEW SOURCE PERMITS	REGISTRATION	75578
AIR NEW SOURCE PERMITS	REGISTRATION	75700
AIR NEW SOURCE PERMITS	PERMIT	75701
AIR NEW SOURCE PERMITS	REGISTRATION	76268
AIR NEW SOURCE PERMITS	REGISTRATION	76267
AIR NEW SOURCE PERMITS	REGISTRATION	76096
AIR NEW SOURCE PERMITS	REGISTRATION	55899
AIR NEW SOURCE PERMITS	REGISTRATION	75396
AIR NEW SOURCE PERMITS	REGISTRATION	75584
AIR NEW SOURCE PERMITS	REGISTRATION	70116
AIR NEW SOURCE PERMITS	REGISTRATION	70117
AIR NEW SOURCE PERMITS	REGISTRATION	70010
AIR NEW SOURCE PERMITS	AFS NUM	4820300019
AIR NEW SOURCE PERMITS	REGISTRATION	70543
AIR NEW SOURCE PERMITS	REGISTRATION	70477
AIR NEW SOURCE PERMITS	REGISTRATION	70196
AIR NEW SOURCE PERMITS	PERMIT	48626
AIR NEW SOURCE PERMITS	PERMIT	48761
AIR NEW SOURCE PERMITS	PERMIT	49078
AIR NEW SOURCE PERMITS	PERMIT	52985
AIR NEW SOURCE PERMITS	REGISTRATION	70379
AIR NEW SOURCE PERMITS	PERMIT	70288
AIR NEW SOURCE PERMITS	REGISTRATION	56590
AIR NEW SOURCE PERMITS	REGISTRATION	71012
AIR NEW SOURCE PERMITS	REGISTRATION	71013
AIR NEW SOURCE PERMITS	REGISTRATION	71014
AIR NEW SOURCE PERMITS	REGISTRATION	71015
AIR NEW SOURCE PERMITS	REGISTRATION	70772
AIR NEW SOURCE PERMITS	REGISTRATION	70884
AIR NEW SOURCE PERMITS	REGISTRATION	70823
AIR NEW SOURCE PERMITS	REGISTRATION	71349
AIR NEW SOURCE PERMITS	REGISTRATION	71352
AIR NEW SOURCE PERMITS	EPA ID	PSDTX332M3
AIR NEW SOURCE PERMITS	REGISTRATION	71472
AIR NEW SOURCE PERMITS	REGISTRATION	71384
AIR NEW SOURCE PERMITS	PERMIT	71332
AIR NEW SOURCE PERMITS	PERMIT	50614
AIR NEW SOURCE PERMITS	PERMIT	50819
AIR NEW SOURCE PERMITS	PERMIT	50871
AIR NEW SOURCE PERMITS	PERMIT	52440
AIR NEW SOURCE PERMITS	PERMIT	72210
AIR NEW SOURCE PERMITS	PERMIT	54111
AIR NEW SOURCE PERMITS	PERMIT	50649
AIR NEW SOURCE PERMITS	PERMIT	54325
AIR NEW SOURCE PERMITS	PERMIT	53062
AIR NEW SOURCE PERMITS	PERMIT	53064
AIR NEW SOURCE PERMITS	PERMIT	54199
AIR NEW SOURCE PERMITS	PERMIT	56335
AIR NEW SOURCE PERMITS	PERMIT	56330
AIR NEW SOURCE PERMITS	PERMIT	53918
AIR NEW SOURCE PERMITS	PERMIT	53998

AIR NEW SOURCE PERMITS	PERMIT	53967
AIR NEW SOURCE PERMITS	REGISTRATION	72364
AIR NEW SOURCE PERMITS	PERMIT	51365
AIR NEW SOURCE PERMITS	PERMIT	71713
AIR NEW SOURCE PERMITS	PERMIT	54232
AIR NEW SOURCE PERMITS	PERMIT	54495
AIR NEW SOURCE PERMITS	PERMIT	56239
AIR NEW SOURCE PERMITS	PERMIT	71373
AIR NEW SOURCE PERMITS	PERMIT	71168
AIR NEW SOURCE PERMITS	PERMIT	70851
AIR NEW SOURCE PERMITS	REGISTRATION	71356
AIR NEW SOURCE PERMITS	REGISTRATION	72607
AIR NEW SOURCE PERMITS	PERMIT	51004
AIR NEW SOURCE PERMITS	PERMIT	51005
AIR NEW SOURCE PERMITS	PERMIT	51006
AIR NEW SOURCE PERMITS	PERMIT	54130
AIR NEW SOURCE PERMITS	PERMIT	53789
AIR NEW SOURCE PERMITS	REGISTRATION	73184
AIR NEW SOURCE PERMITS	REGISTRATION	72549
AIR NEW SOURCE PERMITS	REGISTRATION	72983
AIR NEW SOURCE PERMITS	REGISTRATION	73322
AIR NEW SOURCE PERMITS	PERMIT	56589
AIR NEW SOURCE PERMITS	PERMIT	56577
AIR NEW SOURCE PERMITS	PERMIT	56575
AIR NEW SOURCE PERMITS	PERMIT	56560
AIR NEW SOURCE PERMITS	PERMIT	56558
AIR NEW SOURCE PERMITS	PERMIT	56555
AIR NEW SOURCE PERMITS	PERMIT	56540
AIR NEW SOURCE PERMITS	PERMIT	56518
AIR NEW SOURCE PERMITS	REGISTRATION	72608
AIR NEW SOURCE PERMITS	PERMIT	53856
AIR NEW SOURCE PERMITS	PERMIT	52062
AIR NEW SOURCE PERMITS	PERMIT	50980
AIR NEW SOURCE PERMITS	REGISTRATION	72295
AIR NEW SOURCE PERMITS	REGISTRATION	73042
AIR NEW SOURCE PERMITS	PERMIT	52628
AIR NEW SOURCE PERMITS	PERMIT	56071
AIR NEW SOURCE PERMITS	PERMIT	50374
AIR NEW SOURCE PERMITS	PERMIT	55338
AIR NEW SOURCE PERMITS	PERMIT	50421
AIR NEW SOURCE PERMITS	REGISTRATION	74022
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HH0042M
AIR NEW SOURCE PERMITS	REGISTRATION	72622
AIR NEW SOURCE PERMITS	REGISTRATION	74168
AIR NEW SOURCE PERMITS	REGISTRATION	73903
AIR NEW SOURCE PERMITS	PERMIT	72893
AIR NEW SOURCE PERMITS	REGISTRATION	74118
AIR NEW SOURCE PERMITS	REGISTRATION	74120
AIR NEW SOURCE PERMITS	REGISTRATION	74121
AIR NEW SOURCE PERMITS	REGISTRATION	74094
AIR NEW SOURCE PERMITS	REGISTRATION	73753
AIR NEW SOURCE PERMITS	REGISTRATION	73940
AIR NEW SOURCE PERMITS	REGISTRATION	74548
AIR NEW SOURCE PERMITS	REGISTRATION	74502
AIR NEW SOURCE PERMITS	REGISTRATION	74686
AIR NEW SOURCE PERMITS	REGISTRATION	74685
AIR NEW SOURCE PERMITS	REGISTRATION	74683
AIR NEW SOURCE PERMITS	REGISTRATION	74257
AIR NEW SOURCE PERMITS	REGISTRATION	74174
AIR NEW SOURCE PERMITS	REGISTRATION	75102
AIR NEW SOURCE PERMITS	REGISTRATION	75146
AIR NEW SOURCE PERMITS	REGISTRATION	74812
AIR NEW SOURCE PERMITS	PERMIT	74985
AIR NEW SOURCE PERMITS	REGISTRATION	76412
AIR NEW SOURCE PERMITS	REGISTRATION	76807
AIR NEW SOURCE PERMITS	REGISTRATION	77693
AIR NEW SOURCE PERMITS	REGISTRATION	77205
AIR NEW SOURCE PERMITS	REGISTRATION	77203
AIR NEW SOURCE PERMITS	REGISTRATION	77367
AIR NEW SOURCE PERMITS	REGISTRATION	76860
AIR NEW SOURCE PERMITS	REGISTRATION	77966
AIR NEW SOURCE PERMITS	REGISTRATION	78125
AIR NEW SOURCE PERMITS	REGISTRATION	78090
AIR NEW SOURCE PERMITS	REGISTRATION	78085
AIR NEW SOURCE PERMITS	REGISTRATION	78086
AIR NEW SOURCE PERMITS	REGISTRATION	77110
AIR NEW SOURCE PERMITS	REGISTRATION	78568
AIR NEW SOURCE PERMITS	REGISTRATION	78517
AIR NEW SOURCE PERMITS	REGISTRATION	78576
AIR NEW SOURCE PERMITS	REGISTRATION	78734
AIR NEW SOURCE PERMITS	REGISTRATION	78785
AIR NEW SOURCE PERMITS	PERMIT	78809
AIR NEW SOURCE PERMITS	REGISTRATION	78938
AIR NEW SOURCE PERMITS	REGISTRATION	78953
AIR NEW SOURCE PERMITS	REGISTRATION	78880
AIR NEW SOURCE PERMITS	REGISTRATION	79302
AIR NEW SOURCE PERMITS	REGISTRATION	79084
AIR NEW SOURCE PERMITS	REGISTRATION	79192
AIR NEW SOURCE PERMITS	REGISTRATION	79374
AIR NEW SOURCE PERMITS	REGISTRATION	79775
AIR NEW SOURCE PERMITS	REGISTRATION	79875
AIR NEW SOURCE PERMITS	REGISTRATION	79788
AIR NEW SOURCE PERMITS	REGISTRATION	79730
AIR NEW SOURCE PERMITS	REGISTRATION	79837
AIR NEW SOURCE PERMITS	REGISTRATION	80164

AIR NEW SOURCE PERMITS	REGISTRATION	79942
AIR NEW SOURCE PERMITS	REGISTRATION	80317
AIR NEW SOURCE PERMITS	REGISTRATION	80208
AIR NEW SOURCE PERMITS	REGISTRATION	80081
AIR NEW SOURCE PERMITS	REGISTRATION	80396
AIR NEW SOURCE PERMITS	PERMIT	80627
AIR NEW SOURCE PERMITS	REGISTRATION	80748
AIR NEW SOURCE PERMITS	REGISTRATION	81007
AIR NEW SOURCE PERMITS	REGISTRATION	80977
AIR NEW SOURCE PERMITS	REGISTRATION	81525
AIR NEW SOURCE PERMITS	REGISTRATION	80984
AIR NEW SOURCE PERMITS	REGISTRATION	81824
AIR NEW SOURCE PERMITS	REGISTRATION	81894
AIR NEW SOURCE PERMITS	REGISTRATION	82080
AIR NEW SOURCE PERMITS	REGISTRATION	82127
AIR NEW SOURCE PERMITS	REGISTRATION	83225
AIR NEW SOURCE PERMITS	REGISTRATION	82646
AIR NEW SOURCE PERMITS	REGISTRATION	82527
AIR NEW SOURCE PERMITS	REGISTRATION	82471
AIR NEW SOURCE PERMITS	REGISTRATION	83043
AIR NEW SOURCE PERMITS	REGISTRATION	82833
AIR NEW SOURCE PERMITS	REGISTRATION	83038
AIR NEW SOURCE PERMITS	REGISTRATION	82806
AIR NEW SOURCE PERMITS	REGISTRATION	83076
INDUSTRIAL AND HAZARDOUS WASTE DISPOSAL	EPA ID	TXD007330202
INDUSTRIAL AND HAZARDOUS WASTE DISPOSAL	SOLID WASTE REGISTRATION # (SWR)	30137
WASTEWATER	PERMIT	WQ0000471000
WASTEWATER	PERMIT	TPDES0000949
WASTEWATER LICENSING	LICENSE	WQ0000471000
STORMWATER	PERMIT	TXR05M879
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1020092
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30137
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50043
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD007330202
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30137
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50043
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50043
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50043
USED OIL	REGISTRATION	A85413

Location: 300 KODAK BLVD, LONGVIEW, TX, Rating Date: 9/1/2007 Repeat Violator: NO

TCEQ Region: REGION 05 - TYLER
 Date Compliance History Prepared: December 18, 2007
 Agency Decision Requiring Compliance History: Enforcement
 Compliance Period: December 18, 2002 to December 18, 2007

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: Daniel Siringi Phone: (409) 899-8799

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period?	Yes	
2. Has there been a (known) change in ownership of the site during the compliance period?	Yes	
3. If Yes, who is the current owner?	N/A	Eastman Chemical Company Eastman Kodak Company Eastman Chemical Company Eastman Cogeneration L.P. Eastman APO, Inc.
4. If Yes, who was/were the prior owner(s)?	Eastman Ethylene Polymers Company	N/A
5. When did the change(s) in ownership occur?	N/A 12/01/2006	

Components (Multimedia) for the Site :

A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

Classification: Moderate	Effective Date: 06/29/2007	ADMINORDER 2006-1532-AIR-E
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)	
Rqmt Prov:	5C THC Chapter 382, SubChapter D 382.085(b) 20567 SC 6E PA O-01978 STC 6A OP	
Description:	Failure to equip 4 open-ended lines and valves with a cap, blind flange, plug, or second valve.	
Classification: Moderate		
Citation:	30 TAC Chapter 116, SubChapter B 116.110(a)(1)	

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter A 382.0518(a)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: O-01978 Gen Term OP

Description: Failure to obtain authorization for emission sources and their associated emissions prior to operation.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 18104 SC 10 PA
O-01978 STC 6A OP

Description: Failure to maintain a minimum water supply pressure of 15 psig for water supplied to the Beringer Jet Cleaning Oven.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-1(a)(1)(i)(C)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(3)(ii)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 20567 SC 3 PA
O-01978 STC 1A OP

O-01978 STC 6A OP

Description: Failure to maintain a net heating value of 200 Btu/scf or greater for the gases being combusted in the Amorphous Polymer Production Facility flare.

Effective Date: 08/10/2007 ADMINORDER 2006-1923-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: O-01979 STC 2F OP

Description: Failure to report Incident # 79089 within 24 hours of the discovery of the reportable emissions event.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 1979/STC 10 OP
908 Special Provision 1 PERMIT

Description: Failure to prevent unauthorized emissions during an emissions event (Incidents # 79089).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(F)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: O-01973 STC 2F OP

Description: Failure to include all reportable pollutants on the initial notification for Incident # 79488.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 1973/ STC 10 OP
8539/Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions during an emissions event (Incidents # 79488).

Effective Date: 09/21/2007 ADMINORDER 2007-0013-AIR-E

Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 52985 SC 10E PERMIT
O-01974 STC 1A OP

O-01974 STC 6 OP

Description: Failure to equip ten open-ended lines with a cap, blind flange, plug, or second valve. And Failure to equip two open-ended lines with a cap, blind flange, plug, or second valve.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 52985 SC 1 PA
O-01974 STC 6 OP

Description: Failure to meet the maximum allowable emission rate during an emission test on vent EPN 038E103.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.110
30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: O-01974 STC 1A OP

Description: Failure to sample at the entrance and exit of each heat exchange system to detect leaks on a quarterly basis.

Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: O-01974 GTC OP

Description: Failure to report all instances of deviations on three submitted Deviation Reports.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	12/30/2002	(153796)
2	01/24/2003	(153800)
3	02/24/2003	(153758)
4	03/12/2003	(23773)
5	03/12/2003	(23831)
6	03/12/2003	(24524)
7	03/12/2003	(24677)
8	03/12/2003	(24100)
9	03/12/2003	(24554)
10	03/13/2003	(25973)
11	03/13/2003	(25944)
12	03/22/2003	(293672)
13	03/25/2003	(153761)
14	04/21/2003	(153766)
15	05/02/2003	(24169)
16	05/02/2003	(29894)
17	05/14/2003	(36483)
18	05/23/2003	(153770)
19	05/30/2003	(61647)
20	05/30/2003	(61604)
21	06/03/2003	(61798)
22	06/24/2003	(153774)
23	07/23/2003	(153778)
24	07/28/2003	(146866)
25	07/31/2003	(38151)
26	08/13/2003	(146622)
27	08/19/2003	(150726)
28	08/25/2003	(293680)
29	08/28/2003	(150648)
30	08/28/2003	(150745)
31	09/23/2003	(293682)
32	10/24/2003	(293684)
33	11/21/2003	(293685)
34	12/16/2003	(257911)
35	12/22/2003	(258006)
36	12/29/2003	(293686)
37	01/23/2004	(293688)
38	01/29/2004	(250443)
39	01/29/2004	(258924)
40	01/29/2004	(257722)
41	01/29/2004	(257791)
42	02/03/2004	(261420)
43	02/03/2004	(261617)
44	02/24/2004	(293669)
45	03/18/2004	(266121)
46	03/18/2004	(266071)
47	04/05/2004	(267733)
48	04/23/2004	(293673)
49	05/25/2004	(293675)
50	06/17/2004	(275884)
51	06/22/2004	(293677)
52	07/01/2004	(277715)
53	07/26/2004	(332755)
54	07/26/2004	(351418)
55	08/24/2004	(351419)
56	09/23/2004	(351420)
57	10/19/2004	(351421)
58	10/28/2004	(293068)
59	11/23/2004	(351422)
60	12/07/2004	(341048)
61	12/20/2004	(381484)
62	12/20/2004	(344802)

63	01/03/2005	(345829)
64	01/03/2005	(345817)
65	01/03/2005	(345910)
66	01/03/2005	(345805)
67	01/31/2005	(381485)
68	02/22/2005	(381482)
69	03/11/2005	(373876)
70	03/11/2005	(373995)
71	03/17/2005	(373696)
72	03/17/2005	(373783)
73	03/17/2005	(373560)
74	03/21/2005	(381483)
75	03/22/2005	(374488)
76	03/22/2005	(17025)
77	04/19/2005	(377228)
78	04/20/2005	(377304)
79	04/20/2005	(378314)
80	04/20/2005	(377429)
81	04/22/2005	(440481)
82	05/23/2005	(440482)
83	06/24/2005	(440483)
84	06/30/2005	(379775)
85	07/05/2005	(393234)
86	07/13/2005	(399882)
87	07/13/2005	(399771)
88	07/22/2005	(440484)
89	07/22/2005	(395173)
90	07/25/2005	(401376)
91	07/25/2005	(400970)
92	07/25/2005	(401412)
93	07/25/2005	(399922)
94	07/25/2005	(401361)
95	07/25/2005	(401537)
96	07/29/2005	(395158)
97	08/11/2005	(402307)
98	08/22/2005	(405030)
99	08/22/2005	(440485)
100	08/22/2005	(406138)
101	08/22/2005	(405683)
102	08/22/2005	(405448)
103	08/26/2005	(407430)
104	08/26/2005	(407396)
105	08/31/2005	(405967)
106	08/31/2005	(418706)
107	09/23/2005	(440486)
108	09/28/2005	(432883)
109	09/28/2005	(432759)
110	09/28/2005	(432012)
111	10/10/2005	(433239)
112	10/10/2005	(433286)
113	10/10/2005	(433189)
114	10/25/2005	(467776)
115	11/29/2005	(467777)
116	11/29/2005	(437568)
117	12/27/2005	(467778)
118	01/25/2006	(467779)
119	01/30/2006	(453414)
120	02/06/2006	(454518)
121	02/06/2006	(454506)
122	02/06/2006	(454558)
123	02/06/2006	(454503)
124	02/06/2006	(454563)
125	02/06/2006	(454496)
126	02/06/2006	(454560)
127	02/06/2006	(454553)
128	02/08/2006	(454581)
129	02/13/2006	(455134)
130	02/13/2006	(455099)
131	02/13/2006	(455070)
132	02/22/2006	(467772)
133	02/27/2006	(455387)
134	03/07/2006	(458253)
135	03/13/2006	(458807)
136	03/20/2006	(467773)
137	03/23/2006	(459327)
138	04/04/2006	(461183)
139	04/04/2006	(461191)
140	04/19/2006	(467774)
141	04/19/2006	(467775)
142	04/19/2006	(462369)
143	04/26/2006	(455671)
144	05/01/2006	(464398)
145	05/01/2006	(464451)
146	05/01/2006	(464369)
147	05/02/2006	(464527)
148	05/09/2006	(464557)
149	05/09/2006	(464558)
150	05/31/2006	(480290)
151	06/01/2006	(480902)
152	06/09/2006	(480874)
153	06/09/2006	(481015)

154	06/19/2006	(497800)
155	07/11/2006	(484680)
156	07/14/2006	(486416)
157	07/17/2006	(486545)
158	07/19/2006	(456505)
159	07/20/2006	(456662)
160	07/20/2006	(456664)
161	07/20/2006	(497799)
162	07/20/2006	(497801)
163	07/21/2006	(486831)
164	07/21/2006	(486838)
165	07/21/2006	(486842)
166	08/18/2006	(519842)
167	08/18/2006	(497255)
168	08/22/2006	(497545)
169	08/22/2006	(497635)
170	08/28/2006	(509675)
171	08/28/2006	(509315)
172	08/31/2006	(510752)
173	08/31/2006	(510444)
174	08/31/2006	(509748)
175	08/31/2006	(510445)
176	08/31/2006	(510674)
177	09/19/2006	(519843)
178	09/22/2006	(513659)
179	10/18/2006	(513967)
180	10/18/2006	(515895)
181	10/18/2006	(515038)
182	10/18/2006	(515798)
183	10/18/2006	(515875)
184	10/18/2006	(515827)
185	10/18/2006	(515002)
186	10/18/2006	(515910)
187	10/18/2006	(514945)
188	10/19/2006	(514234)
189	10/19/2006	(514010)
190	10/19/2006	(519844)
191	10/27/2006	(516004)
192	11/01/2006	(517231)
193	11/01/2006	(517290)
194	11/01/2006	(517576)
195	11/17/2006	(544071)
196	11/28/2006	(519470)
197	11/30/2006	(532795)
198	12/19/2006	(534736)
199	12/19/2006	(531486)
200	12/19/2006	(544072)
201	12/20/2006	(534532)
202	12/22/2006	(534753)
203	12/22/2006	(534763)
204	12/22/2006	(534773)
205	12/22/2006	(534037)
206	12/22/2006	(534851)
207	12/22/2006	(534844)
208	12/22/2006	(534829)
209	01/19/2007	(544073)
210	02/05/2007	(535399)
211	02/05/2007	(535402)
212	02/20/2007	(544070)
213	02/23/2007	(540712)
214	02/27/2007	(534864)
215	02/28/2007	(542403)
216	02/28/2007	(542397)
217	03/06/2007	(542607)
218	03/06/2007	(543030)
219	03/06/2007	(543103)
220	03/06/2007	(543040)
221	03/06/2007	(542518)
222	03/06/2007	(542633)
223	03/06/2007	(543090)
224	03/07/2007	(543184)
225	03/07/2007	(543118)
226	03/07/2007	(543169)
227	03/07/2007	(543198)
228	03/09/2007	(543240)
229	03/09/2007	(543239)
230	03/09/2007	(542701)
231	03/09/2007	(543237)
232	03/09/2007	(543241)
233	03/19/2007	(574588)
234	04/13/2007	(556590)
235	04/17/2007	(574589)
236	05/08/2007	(558647)
237	05/10/2007	(558399)
238	05/11/2007	(558234)
239	05/15/2007	(555974)
240	05/23/2007	(561239)
241	06/05/2007	(561418)
242	06/05/2007	(561685)
243	06/07/2007	(561883)
244	06/08/2007	(558951)

Rqmt Prov:	PA 49363 SC 8E OP O-01436 STC 10A OP O-01436 STC 1A
Description:	Failure to equip 2 loading arms with a cap. Eastman reported that on June 21,
2006, 2 loading arm caps were found missing and were replaced.	
Self Report?	NO Classification: Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov:	PA 21832 SC 12E PA 48591 SC 5E PA 6777 SC 6E OP O-01436 STC 10A
Description:	Failure to equip 3 open-ended lines with a cap, blind flange, plug, or second valve.
Self Report?	NO Classification: Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov:	PA 48758 SC 7I OP O-01436 STC 10A
Description:	Failure to repair a leaking component within 15 days of the discovery of the leak. Eastman reported that on June 13, 2006 a leaking valve was discovered but was not repaired until June 29, 2006, 16 days after discovery of the leak.
Self Report?	NO Classification: Minor
Citation:	30 TAC Chapter 113, SubChapter C 113.520 30 TAC Chapter 113, SubChapter C 113.560 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3) 5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov:	OP O-01463 STC 1E
Description:	Failure to equip 1 open-ended line, with a cap, blind flange, plug, or second valve. This component only has federal applicability under 40 CFR 63, Subpart YY.
Self Report?	NO Classification: Minor
Citation:	30 TAC Chapter 113, SubChapter C 113.110 30 TAC Chapter 113, SubChapter C 113.130 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.100(b) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1) 5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov:	OP O-01436 STC 1A
Description:	Failure to equip 1 open-ended line, with a cap, blind flange, plug, or second valve. This component only has federal applicability.
Self Report?	NO Classification: Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov:	OP O-01436 STC 3A
Description:	Failure to conduct one visible emissions observations during the first quarter of 2006. Eastman reported that they did not perform the quarterly observation on EPN 010LT61.
Self Report?	NO Classification: Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(A) 5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov:	OP O-01436 GC
Description:	Failure to report each instance of a deviation in the six month deviation reporting period for the period that the deviation occurred.
Self Report?	NO Classification: Minor
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-2(a) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1) 5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov:	OP O-01967 STC 1A
Description:	Failure to equip 32 open-ended lines and valves with a cap, blind flange, plug, or second valve.
Self Report?	NO Classification: Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.563(b)(2)(ii) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.565(e)(1) 5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov:	OP O-01967 STC 1A
Description:	Failure to maintain a functioning monitoring device that indicates the presence of a flame at each flare pilot light and failure to maintain records that demonstrate that the pilot was lit.
Self Report?	NO Classification: Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov:	OP O-1969 STC 4
Description:	Failure to maintain the time weighted average vacuum pressure below 105 mm Hg.
Self Report?	NO Classification: Minor
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1) 5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov:	PA 48591 SC 5E OP O-01968 5A OP O-01968 STC 1A
Description:	Failure to equip 10 open-ended lines and valves with a cap, blind flange, plug, or

Self Report?	second valve.	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT RRR 60.702(b) 5C THC Chapter 382, SubChapter D 382.085(b) OP O-01968 STC 1A			
Rqmt Prov:	Failure to vent a 40 CFR 60 Subpart RRR reactor to a flare that was tested and shown			
Description:	to meet 40 CFR 60.18.			
Self Report?		NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT RRR 60.705(l)(8) 5C THC Chapter 382, SubChapter D 382.085(b) OP O-01968 STC 1A			
Rqmt Prov:	Failure to notify of a change in concentration within 180 days of the change in			
Description:	concentration. (568922)			
Date: 08/03/2007				
Self Report?		NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.130 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a) OP O-01974 STC 1A			
Rqmt Prov:	Failure to monitor 241 connectors in the Solvent Plant 2 that were subject to 40 CFR 63,			
Description:	Subpart H. (601337)			
Date: 09/30/2007				
Self Report?		YES	Classification:	Moderate
Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)			
Description:	Failure to meet the limit for one or more permit parameter			
Date: 11/05/2007	(599611)			
Self Report?		NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.110(a) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b) OP O-01970 SC 7			
Rqmt Prov:	Failure to limit emissions burned in the flare (EPN 030FL1) to emergency use only when			
Description:	the analyzer mechanic left the bleed line open after calibrating the off-gas fuel calorimeter on August 4, 2006. These emissions were vented to the flare. Condition 6 of Standard Exemption No. 96 (Standard Exemption List dated January 8, 1990), limits the flare usage to emergencies only. Eastman reported excess air emissions of less than 1 pound. The unauthorized emissions occurred for 1.5 hours.			
Self Report?		NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT D 60.42(a)(2) 5C THC Chapter 382, SubChapter D 382.085(b) PA 5283 SC 1 OP O-01970 STC 1A			
Rqmt Prov:	Failure to meet the maximum opacity limit while conducting a routine overfire test at			
Description:	Boiler 11 (EPN 030B11). Eastman reported that the 20% opacity limit was exceeded (two six minute periods) when the oxygen level was too low for the off-gas sent to the boiler during the test.			

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

Responsible Care Management System

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

Rqmt Prov:	40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)		
Description:	OP O-01979 STC 1D		
	Failure to submit prior flare test reports 90 days prior to the compliance date of January 8, 2006.		
Date	05/03/2007	(558647)	
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PA 7695 SC 10		
	OP O-01983 STC 8A		
Description:	Failure to conduct quarterly sampling for VOCs from the pellets on C-Line from November 1, 2005 through December 31, 2005.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PA 18104 SC 6		
	OP O-01983 STC 8A		
Description:	Failure to perform sampling downstream on one of the vacuum stripping tanks to determine the residual VOC in the molten wax during the fourth quarter of 2006.		
Date	05/15/2007	(555974)	
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a) PA 48655 SC 4E OP O-01972 STC 1A		
Description:	OP O-01972 STC 8A		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	OP O-01972 STC 3		
Description:	Failure to conduct four visible emissions observations during the second quarter of 2006.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT J 61.112(a) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-2(a)		
Rqmt Prov:	OP O-01972 STC 1A		
Description:	Failure to perform monthly monitoring on two pumps in benzene service.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(a)(1)(ii)		
Rqmt Prov:	OP O-01972 STC 7A		
Description:	Failure to maintain a cover on a container containing benzene laden waste.		
Date	07/27/2007	(564671)	
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 113, SubChapter C 113.520 30 TAC Chapter 113, SubChapter C 113.560 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(b)(1) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-01973 STC 1E OP O-01973 STC 1F		
Description:	Failure to equip 22 open-ended lines and valves with a cap, blind flange, plug, or second valve.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.520 30 TAC Chapter 113, SubChapter C 113.560 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(c)(4)(ii) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP O-01973 STC 1E OP O-01973 STC 1F		
Description:	Failure to monitor 422 difficult to monitor (DTM) during 2006.		
Date	07/27/2007	(568606)	
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.110 30 TAC Chapter 113, SubChapter C 113.120 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.102(a) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.126(b)(2)(i) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PA 48758 SC 6A OP O-01436 STC 10A OP O-01436 STC 1A		
Description:	Failure to meet the flare (EPN 027FL1) minimum heating value of 200 Btu/scf while venting HAP emissions from emission units SD004LR1 and SD004LT41. Eastman reported that from January 30, 2006 through February 27, 2006 the assist gas control valve was closed which did not supplement the vented gas to achieve a minimum heating value of 200 Btu/scf.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 113, SubChapter C 113.110 30 TAC Chapter 113, SubChapter C 113.130 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.100(b) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1) 5C THC Chapter 382, SubChapter D 382.085(b)		

Rqmt Prov:	30 TAC Chapter 122, SubChapter B 122.143(4)		
Description:	40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.100(b)		
Self Report?	40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)		
Citation:	OP O-01982 STC 1A		
	Failure to equip 2 double valves with a cap, blind flange, plug, or second valve.	Classification:	Moderate
	NO		
	30 TAC Chapter 113, SubChapter C 113.110		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.100(b)		
	40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(4)		
Rqmt Prov:	OP O-01982 STC 1A		
Description:	Failure to sample at the entrance and exit of each heat exchange system to detect leaks on a quarterly basis.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.100		
	30 TAC Chapter 116, SubChapter B 116.115(c)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(o)(3)(ii)		
	40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)		
Rqmt Prov:	PA 1105 SC 8		
	OP O-01982 STC 1A		
	OP O-01982 STC 7A		
Description:	Failure to maintain a net heating value of 200 Btu/scf or greater for the gases being combusted in the flare operated by Oxo Aldehydes (OX027FL1).		
Date	02/23/2007		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)		
Rqmt Prov:	OP O-01821 STC 1A		
Description:	Failure to equip 2 open-ended lines, valves, or flanges with a cap, blind flange, plug, or second valve.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.620		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(j)(3)(iii)		
Rqmt Prov:	OP O-01981 STC 1A		
Description:	Failure to maintain the hazardous waste feed rate to the RKI (5390 lb/hr limit) and SCC (1895 lb/hr limit) below the required limit (hourly rolling average).		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter F 116.615(2)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PA 43891 Rep		
	OP O-01981 STC 12A		
Description:	Failure to maintain the CO concentration below the 350 ppm limit (15 minute average).		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.620		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1203(a)(5)(i)		
Rqmt Prov:	OP O-01981 STC 1A		
Description:	Failure to maintain the CO concentration below the 100 ppm HRA.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(f)(1)		
Rqmt Prov:	OP O-01981 STC 1A		
Description:	Failure to maintain a signed and dated certification documenting the performance level of the closed-vent system and control device.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(a)(1)(i)(A)		
Rqmt Prov:	OP O-01981 STC 1A		
Description:	Failure to conduct annual monitoring on openings on six tanks (TK-27, TK-28, TK-29, TK-2A, TK-3A, and TK-4A) subject to 40 CFR 61, Subpart FF.		
Date	03/09/2007		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 113, SubChapter C 113.560		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)		
	40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)		
Rqmt Prov:	OP O-01979 STC 1D		
Description:	Failure to equip 14 open-ended lines, valves, or flanges with a cap, blind flange, plug, or second valve.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 113, SubChapter C 113.560		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1024(a)		
	40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)		
Rqmt Prov:	OP O-01979 STC 1D		
Description:	Failure to re-monitor a leaking valve within 15 days of discovering the leak after the valve had been repaired within the 15 days.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PA 48590 SC 111		
	OP O-01979 STC 10A		
Description:	Failure to repair a valve during a shutdown that had been placed on delay of repair.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.560		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.999(a)(1)(iv)		
	40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1034(b)(2)		

Rqmt Prov:	30 TAC Chapter 122, SubChapter B 122.143(4)		
Description:	40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-2(a)		
	40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)		
	OP O-01967 STC 1A		
	Failure to equip 8 open-ended lines and valves with a cap, blind flange, plug, or second valve.		
Date	(514010)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2)		
	30 TAC Chapter 116, SubChapter B 116.115(c)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)		
Rqmt Prov:	PA 48655 SC 4E		
	OP O-01972 STC 1A		
	OP O-01972 STC 8A		
Description:	Failure to equip 2 open-ended lines and valves with a cap, blind flange, plug, or second valve.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PA 48655 SC 4I		
	OP O-01972 STC 8A		
Description:	Failure to repair two leaking components within 15 days of discovering the leaks.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2)		
	30 TAC Chapter 116, SubChapter B 116.115(c)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-8(c)		
Rqmt Prov:	PA 48655 SC 4I		
	OP O-01972 STC 1A		
	OP O-01972 STC 8A		
Description:	Failure to repair a leaking connector within 15 days of discovering the leaking connector.		
Date	(514234)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)		
Rqmt Prov:	OP O-01973 STC 1A		
Description:	Failure to equip 7 open-ended lines and valves with a cap, blind flange, plug, or second valve.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.560		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)		
	40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)		
Rqmt Prov:	OP O-01973 STC 1F		
Description:	Failure to equip 113 open-ended lines and valves with a cap, blind flange, plug, or second valve.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.560		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.982(b)		
	40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.999(a)(1)(iv)		
	40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3)		
Rqmt Prov:	OP O-01973 STC 1F		
Description:	Failure to submit prior flare test reports 90 days prior to the compliance date of January 6, 2006.		
Date	(517576)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.130		
	30 TAC Chapter 116, SubChapter B 116.115(c)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)		
Rqmt Prov:	PA 48626 SC 10E		
	OP O-01971		
Description:	Failure to equip one open-ended line with a blind flange.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PA 48626 SC 10E		
	OP O-01971 STC 8		
Description:	Failure to equip one open-ended line with a blind flange.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PA 19230 SC 2E		
	OP O-01971 STC 8		
Description:	Failure to equip four open-ended line with a cap, blind flange, or plug.		
Date	(531486)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1)		
	30 TAC Chapter 116, SubChapter B 116.115(c)		
	30 TAC Chapter 122, SubChapter B 122.143(4)		
	40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)		
Rqmt Prov:	PA 21832 SC 12E		
	PA 27941 SC 6E		
	OP O-01977 STC 1A		
	OP O-01977 STC 9A		
Description:	Failure to equip 9 open-ended lines and valves with a cap, blind flange, plug, or second valve.		
Date	(534037)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.110		
	30 TAC Chapter 113, SubChapter C 113.130		

Rqmt Prov:	OP O-01983 STC 3A.iv.1		
Description:	Failure to conduct quarterly opacity observations on 18 stationary combustion source vents.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 106, SubChapter K 106.261(a)(7)(A) 30 TAC Chapter 106, SubChapter K 106.262(3) 30 TAC Chapter 122, SubChapter B 122.143(4) OP O-01983 STC 6A		
Rqmt Prov:			
Description:	Failure to submit a PBR notification within 10 days of the modification.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PA 7695 SC 10 OP O-01983 STC 6A		
Description:	Failure to conduct quarterly sampling for VOCs from the pellets on C-Line from November 1, 2004 through September 30, 2005. (510444)		
Date 08/30/2006			
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1)		
	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-2(a) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1) OP O-01967 GT&C		
Rqmt Prov:			
Description:	Failure to equip 34 open-ended lines and valves with a cap, blind flange, plug, or second valve.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(C) 30 TAC Chapter 122, SubChapter B 122.146(2) OP O-01967 GT&C		
Rqmt Prov:			
Description:	Failure to submit an annual compliance certification and deviation report within 30 days after the end of the reporting period. (509748)		
Date 08/30/2006			
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a) OP O-01436 STC 1A		
Rqmt Prov:			
Description:	Failure to equip 1 open-ended line with a cap, blind flange, plug, or second valve.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PA 21832 SC 12E OP O-01436 STC 10A		
Description:	Failure to equip 1 open-ended line with a cap, blind flange, plug, or second valve.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.560 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3) OP O-01436 STC 1E		
Rqmt Prov:			
Description:	Failure to equip 2 open-ended lines, valves, or flanges with a cap, blind flange, plug, or second valve.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.110 30 TAC Chapter 113, SubChapter C 113.130 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.100(b) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1) OP O-01436 STC 1A		
Rqmt Prov:			
Description:	Failure to equip 1 open-ended line, with a cap, blind flange, plug, or second valve. (510674)		
Date 08/31/2006			
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1) PA 48591 SC 5E OP O-01968 STC 1A OP O-01968 STC 5A		
Rqmt Prov:			
Description:	Failure to equip 15 open-ended lines and valves with a cap, blind flange, plug, or second valve. (510752)		
Date 08/31/2006			
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PA 8522/PSDTX322M3 SC 4 OP O-01969 STC 4		
Description:	Failure to maintain the time weighted average vacuum pressure below 105 mm Hg.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(C) 30 TAC Chapter 122, SubChapter B 122.146(2) OP O-01969 General Term and Condition		
Rqmt Prov:			
Description:	Failure to submit an annual compliance certification and deviation report within 30 days after the end of the reporting period. (510445)		
Date 08/31/2006			
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1)		

	combusted in the mixed esters flare. (497545)		
Date 08/22/2006			
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a) OP O-01979 STC 1A		
Rqmt Prov:			
Description:	Failure to equip 17 open-ended lines, valves, or flanges with a cap, blind flange, plug, or second valve. These components only have federal applicability.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PA 48590 SC 11E OP O-01979 STC 6A		
Description:	Failure to equip 5 open-ended lines, valves, or flanges with a cap, blind flange, plug, or second valve. These components only have state applicability.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PA 48588 SC 11I OP O-01979 STC 6A		
Description:	Failure to repair a valve during a shutdown that had been placed on delay of repair.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.560 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(e)(3) OP O-01979 STC 1D		
Rqmt Prov:			
Description:	Failure to equip 10 open-ended lines, valves, or flanges with a cap, blind flange, plug, or second valve. These components only have federal applicability under 40 CFR 63, Subpart YY.		
Date 08/22/2006	(497635)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a) OP O-01981 STC 1A		
Rqmt Prov:			
Description:	Failure to equip 6 open-ended lines, valves, or flanges with a cap, blind flange, plug, or second valve.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(2)(i)(C) OP O-01981 STC 1A		
Rqmt Prov:			
Description:	Failure to maintain the combustion chamber of the Rotary Kiln Incinerator (RKI) above the minimum temperature of 1400 degrees Fahrenheit while waste tanks were being vented to the RKI.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.620 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(3)(viii) OP O-01981 STC 1A		
Rqmt Prov:			
Description:	Failure to conduct one weekly AWFCO test and failure to include % oxygen as an OPL during the weekly AWFCO test.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.620 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(b)(2)(i) OP O-01981 STC 1A		
Rqmt Prov:			
Description:	Failure to conduct annual calibrations on the Fluid Bed and Rotary Kiln Incinerators' 21 total instruments.		
Date 08/25/2006	(509315)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.110 30 TAC Chapter 113, SubChapter C 113.130 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.100(b) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1) OP O-01982 STC 1A		
Rqmt Prov:			
Description:	Failure to equip 4 open-ended lines, valves, or flanges with a cap, blind flange, plug, or second valve.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PA 1105 SC 2E OP O-01982 STC 1A OP O-01982 STC 7A		
Description:	Failure to equip a flange with a blind flange.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.110 30 TAC Chapter 113, SubChapter C 113.130 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.100(b) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(d) PA 1105 SC 2I OP O-01982 STC 1A OP O-01982 STC 7A		
Rqmt Prov:			
Description:	Failure to repair a leaking component (connector) within 15 days of discovering the leak.		
Date 08/28/2006	(509675)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4)		

chamber in the Rotary Kiln Incinerator (RKI) while burning hazardous waste. The minimum temperature was not met on the following dates: October 18, 2004 (2 minutes), November 4, 2004 (19 minutes), and December 6, 2004 (22 minutes).

Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.130 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)		
Rqmt Prov:	PA 48626 SC 10.E OP O-01971 ST&C 1.A OP O-01971 ST&C 8		
Description:	Failure to equip 3 open-ended lines and valves with a cap, blind flange, plug, or second valve. Eastman reported that during the month of October 2004, 1 plug was found missing and was replaced. Also, it was reported that during the month of February 2005, 2 plugs were found missing and were replaced. HON components		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PA 48626 SC 10.E OP O-01971 ST&C 8		
Description:	Failure to equip 2 open-ended lines and valves with a cap, blind flange, plug, or second valve. Eastman reported that during the month of November 2004, 1 plug was found missing and was replaced. Also, it was reported that during the month of January 2005, 1 plug was found missing and was replaced. Not HON compon		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PA 681 SC 5 OP O-01971 ST&C 8		
Description:	Failure to maintain a minimum pH of 7.3 at the caustic scrubber liquid outlet while waste is being feed to the scrubber. On February 20, 2005, the pH dropped below 7.3 from 07:21 hours to 08:51 hours and waste was still fed to the scrubber.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.110 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(4)		
Rqmt Prov:	OP O-01971 ST&C 1.A		
Description:	Failure to sample at the entrance and exit of each heat exchange system to detect leaks on a quarterly basis. The HON Subpart F Analyses supplied indicates the cooling tower returns from Acetaldehyde Plants 1 and 2 were sampled, but the supplies were not sampled.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(A)		
Rqmt Prov:	OP O-01971 GT&C		
Description:	Failure to report each instance of a deviation in the submitted deviation reports. Deviation Reports were submitted covering the periods of July 1, 2004 through December 31, 2004 and January 1, 2005 through June 30, 2005.		
Date	04/20/2006 (462369)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 106, SubChapter T 106.454(1)(F) 30 TAC Chapter 106, SubChapter T 106.454(3)(B) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	OP O-01976 STC 8		
Description:	Failure to maintain the cover in a closed position when parts were not being handled in the degreaser. On April 9, 2005, Eastman personnel discovered the open lid, closed it and reported the deviation in the January 1, 2005 through June 30, 2005 Deviation Report.		
Date	06/09/2006 (480874)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.130 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)		
Rqmt Prov:	OP O-01974 STC 1A		
Description:	Failure to equip 11 open-ended lines and valves with a cap, blind flange, plug, or		
Date	06/09/2006 (481015)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)		
Rqmt Prov:	PA 21832 SC 12E PA 27941 SC 6E PA 6777 SC 6E PA 9631 1E OP O-01977 STC 1A OP O-01977 STC 9A		
Description:	Failure to equip 28 open-ended lines and valves with a cap, blind flange, plug, or second valve.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-8(c)(2)		
Rqmt Prov:	PA 9631 SC 2B OP O-01977 STC 1A OP O-01977 STC 9A		
Description:	Failure to make the first attempt at repair within 5 days of discovering a seal leak on pump P-135.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PA 6777 SC 5A OP O-01977 STC 9A		
Description:	Failure to maintain a net heating value of 200 Btu/scf or greater for the gases being		

Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(8)(A) 5C THC Chapter 382, SubChapter A 382.085(b)		
Description:	Failure to prevent unauthorized emissions during an excess opacity event (Incident # 52751).		
Date	08/19/2005	(405030)	
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 106, SubChapter K 106.262 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	OP O-01967, STC 6		
Description:	Failure to notify the TCEQ within 10 days of the installation or modification of the facility. The notification should have been submitted on September 20, 2004, but was not submitted until October 8, 2004. 30 TAC 106.262(a)(3) requires that the notification be submitted within 10 days.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-2(a) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)		
Rqmt Prov:	OP O-01967, STC 1.A.		
Description:	Failure to equip 94 open-ended lines and valves with a cap, blind flange, plug, or second valve.		
Date	08/19/2005	(405448)	
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)		
Rqmt Prov:	PA 48591 SC 5.E OP O-01968 STC 1.A OP O-01968 STC 5.A		
Description:	Failure to equip 41 open-ended lines and valves with a cap, blind flange, plug, or second valve.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PA 48591 SC 5.E OP O-01968 STC 5.A		
Description:	Failure to equip 1 open-ended line/valve with a cap, blind flange, plug, or second valve.		
Date	08/19/2005	(405683)	
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)		
Rqmt Prov:	PA 48655 SC 4.E OP O-01967 STC 8.A OP O-01972 STC 1.A		
Description:	Failure to equip 30 open-ended lines and valves with a cap, blind flange, plug, or second valve.		
Date	08/23/2005	(406138)	
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(3) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		
Rqmt Prov:	PA 8522 SC 4 OP O-01969 STC 4 PA PSD-TX-322M3		
Description:	Failure to maintain the time weighted average vacuum pressure below 105 mm Hg.		
Date	08/31/2005	(405967)	
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Part 61, Subpart V 61.242-6(a)(1)		
Rqmt Prov:	OP O-01973 STC 1A		
Description:	Failure to equip 37 open-ended lines and valves with a cap, blind flange, plug, or second valve.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2) 30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(A) 40 CFR Part 61, Subpart V 61.242-1(a)		
Rqmt Prov:	OP O-01973 STC 1A		
Description:	Failure to monitor 135 components in benzene service.		
Date	09/30/2005	(467776)	
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date	11/30/2005	(467778)	
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date	02/27/2006	(455387)	
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(2) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(2)(i)(C)		
Rqmt Prov:	OP O-01971 ST&C 1.A.		
Description:	Failure to meet a minimum temperature of 1400 degrees Fahrenheit in the combustion		

245	06/20/2007	(574591)
246	07/16/2007	(567515)
247	07/18/2007	(574590)
248	07/18/2007	(574592)
249	07/27/2007	(564671)
250	08/03/2007	(568920)
251	08/20/2007	(601335)
252	08/21/2007	(572625)
253	08/23/2007	(561251)
254	08/29/2007	(574037)
255	08/29/2007	(573397)
256	08/30/2007	(574204)
257	08/30/2007	(574223)
258	08/30/2007	(574222)
259	08/31/2007	(574224)
260	08/31/2007	(574225)
261	09/17/2007	(601336)
262	10/01/2007	(596138)
263	10/01/2007	(596124)
264	10/01/2007	(596392)
265	10/04/2007	(596112)
266	10/04/2007	(574082)
267	10/04/2007	(593670)
268	10/04/2007	(596195)
269	10/12/2007	(597242)
270	10/18/2007	(601337)
271	11/05/2007	(599611)
272	11/29/2007	(609674)
273	11/29/2007	(610267)
274	11/29/2007	(610184)
275	11/29/2007	(610334)
276	11/29/2007	(610064)
277	11/29/2007	(610090)
278	11/29/2007	(610332)
279	12/04/2007	(610420)
280	12/14/2007	(611079)
281	12/14/2007	(611581)
282	12/18/2007	(611831)
283	12/18/2007	(611883)
284	12/18/2007	(612106)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date	11/30/2003	(293686)		
Self Report?	YES		Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)			
Description:	Failure to meet the limit for one or more permit parameter			
Date	01/05/2004	(258924)		
Self Report?	NO		Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter F 101.201(e) 5C THC Chapter 382, SubChapter A 382.085(b)			
Description:	Failure to notify the Texas Commission on Environmental Quality (TCEQ) Tyler Regional Office of a reportable emissions event within 24 hours after discovery of the event.			
Date	01/31/2004	(293669)		
Self Report?	YES		Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)			
Description:	Failure to meet the limit for one or more permit parameter			
Date	02/29/2004	(293672)		
Self Report?	YES		Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)			
Description:	Failure to meet the limit for one or more permit parameter			
Date	03/31/2004	(293673)		
Self Report?	YES		Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)			
Description:	Failure to meet the limit for one or more permit parameter			
Date	05/31/2004	(293677)		
Self Report?	YES		Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)			
Description:	Failure to meet the limit for one or more permit parameter			
Date	07/26/2004	(332755)		
Self Report?	NO		Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) 30 TAC Chapter 305, SubChapter F 305.125(17)			
Description:	NON-RPT VIOS FOR MONIT PER OR PIPE			
Date	08/31/2004	(351420)		
Self Report?	YES		Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)			
Description:	Failure to meet the limit for one or more permit parameter			
Date	11/30/2004	(381484)		
Self Report?	YES		Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)			
Description:	Failure to meet the limit for one or more permit parameter			
Date	03/18/2005	(373696)		
Self Report?	NO		Classification:	Moderate

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
EASTMAN CHEMICAL COMPANY
RN100219815**

§ **BEFORE THE**
§
§ **TEXAS COMMISSION ON**
§
§ **ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2007-2040-AIR-E

I. JURISDICTION AND STIPULATIONS

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Eastman Chemical Company ("the Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

1. The Respondent owns and operates a chemical manufacturing plant at 300 Kodak Boulevard in Longview, Harrison County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about December 19, 2007.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Thirteen Thousand Fifty Dollars (\$13,050) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Five Thousand Two Hundred Twenty Dollars (\$5,220) of the administrative penalty and Two Thousand Six Hundred Ten Dollars (\$2,610) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require Eastman to pay all or part of the deferred penalty. Five

Thousand Two Hundred Twenty Dollars (\$5,220) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that the Respondent reviewed the procedures in place for determining whether an emissions event is reportable and conducted training on September 20, 2007, for the environmental on-call personnel and Hydrocarbon Cracking Plant No. 4 operating personnel to ensure timely reporting of such events.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Plant, the Respondent is alleged to have:

1. Failed to notify the TCEQ Regional Office within the required 24 hours of a reportable emissions event, in violation of 30 TEX. ADMIN. CODE §§ 101.201(a)(1) and 122.143(4), Federal Operating Permit ("FOP") No. O-01973, Special Terms and Conditions ("STC") 2F and 21, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on December 10 through 11, 2007. The emissions event occurred on September 8, 2007, but was not reported until September 10, 2007 (Incident No. 97228).
2. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), FOP No. O-01973, STC 10, Air Permit No. 8539, Special Condition 1, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on December 10 through 11, 2007. Specifically, 201.9 pounds of 1,3-Butadiene were released at Flare Emissions Point Number 225FL1 during a planned shutdown of Hydrocarbon Cracking Plant No. 4. The emissions event began on September 8, 2007 and lasted for 35 minutes (Incident No. 97228). Since the emissions event was not reported within 24 hours of discovery, the Respondent failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Eastman Chemical Company, Docket No. 2007-2040-AIR-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088
2. The Respondent shall implement and complete an SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section I Paragraph 6 above, Five Thousand Two Hundred Twenty Dollars (\$5,220) of the assessed administrative penalty shall be offset with the condition that the Respondent implement the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this


Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

7. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

5/21/2008


Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.



Signature

James Ray

Name (Printed or typed)
Authorized Representative of
Eastman Chemical Company

March 26, 2008

Date
Vice President and
General Manager of
Eastman Chemical Company

Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

Attachment A
Docket Number: 2007-2040-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Eastman Chemical Company
Payable Penalty Amount:	Ten Thousand Four Hundred Forty Dollars (\$10,440)
SEP Amount:	Five Thousand Two Hundred Twenty Dollars (\$5,220)
Type of SEP:	Pre-approved
Third-Party Recipient:	Texas Association of Resource Conservation and Development Areas, Inc. ("RC&D")- Wastewater Treatment Assistance
Location of SEP:	Harrison County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

The Respondent shall contribute to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used to provide low income rural homeowners with assistance to enable the repair or replacement of their failing on-site wastewater systems. SEP monies will be used to pay for the labor and materials costs related to repairing or replacing the failing systems. The recipients will not be charged for the cost of replacing or repairing the failing systems.

The Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by protecting water sources for drinking, recreation, and wildlife from contamination from failing treatment systems.

C. Minimum Expenditure

The Respondent shall contribute at least the SEP Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Amount to the Third-Party Recipient. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Texas Association of Resource Conservation and Development Areas, Inc.
1716 Briarcrest Drive, Suite 510
Bryan, Texas 77802-2700

3. Records and Reporting

Concurrent with the payment of the SEP Amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Enforcement Division
Attention: SEP Coordinator, MC 219
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Amount.

The check for any amount due shall be made out to "Texas Commission on Environmental Quality" and mailed to:

Texas Commission on Environmental Quality
Financial Administration Division, Revenues
Attention: Cashier, MC 214
P.O. Box 13088
Austin, Texas 78711-3088

The Respondent shall also mail a copy of the check to the TCEQ SEP Coordinator at the address in Section 3 above.

5. Publicity

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP identified in this Agreed Order has not been, and shall not be, included as an SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

